

ESTTA Tracking number: **ESTTA591710**

Filing date: **03/10/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Diageo North America, Inc.
Granted to Date of previous extension	03/09/2014
Address	801 Main Avenue Norwalk, CT 06851 UNITED STATES

Attorney information	Adam D. Siegartel Proskauer Rose LLP Eleven Times Square New York, NY 10036-8299 UNITED STATES trademark@proskauer.com, Denise.Grassi@diageo.com, Trademarks@diageo.com, raman@fleckman.com Phone:212-969-3000
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Applicant Information

Application No	85731118	Publication date	09/10/2013
Opposition Filing Date	03/10/2014	Opposition Period Ends	03/09/2014
Applicant	Mexcor, Inc. 8950 Railwood Drive Houston, TX 77078 TX		

Goods/Services Affected by Opposition

Class 033. First Use: 2008/00/00 First Use In Commerce: 2008/00/00
All goods and services in the class are opposed, namely: Whisky

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	635313	Application Date	01/10/1956
Registration Date	10/02/1956	Foreign Priority Date	NONE
Word Mark	CROWN ROYAL		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 033. First use: First Use: 1954/01/11 First Use In Commerce: 1954/01/11 ALCOHOLIC LIQUORS-NAMELY, WHISKEY

U.S. Registration No.	2851028	Application Date	07/08/2003
Registration Date	06/08/2004	Foreign Priority Date	NONE
Word Mark	CROWN ROYAL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 033. First use: First Use: 1964/00/00 First Use In Commerce: 1964/00/00 Alcoholic beverages namely whiskey		

U.S. Registration No.	3137914	Application Date	08/05/2004
Registration Date	09/05/2006	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of a three dimensional design of a purple cloth pouch bag with gold stitching and drawstring.		
Goods/Services	Class 033. First use: First Use: 1964/00/00 First Use In Commerce: 1964/00/00 Alcoholic beverages, namely, spirits		

Attachments	72000448#TMSN.gif(bytes) 78462822#TMSN.jpeg(bytes) Notice of Opposition.pdf(743482 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Adam D. Siegartel/
Name	Adam D. Siegartel
Date	03/10/2014

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 85-731118
Published in the Official Gazette on September 10, 2013
Mark: TEXAS CROWN CLUB WHISKY (Design)

International Class: 33

DIAGEO NORTH AMERICA, INC.,

Opposer,

Opposition No. _____

-against-

MEXCOR, INC.,

Applicant.

NOTICE OF OPPOSITION

Opposer Diageo North America, Inc. ("Diageo") believes it will be damaged by registration of the mark TEXAS CROWN CLUB WHISKY (design) ("Applicant's Mark") for "whisky" in International Class 33, as shown in the intent-to-use application Serial No. 85-731118, and Diageo hereby opposes that application pursuant to Section 13(a) of the Trademark Act of 1946, as amended (the "Lanham Act"), 15 U.S.C. § 1063(a).

As grounds for the opposition, Diageo alleges that:

1. Diageo North America, Inc. is a Connecticut corporation with its principal place of business located at 801 Main Avenue, Norwalk, CT 06851.
2. Upon information and belief, Applicant Mexcor, Inc. ("Applicant") is a Texas corporation with an address of 8950 Railwood Drive, Houston, TX 77078.
3. Diageo and its predecessors-in-interest have owned and used various marks consisting of or including CROWN ROYAL and a distinctive purple bag (collectively, "Diageo's Marks") in commerce in the United States in connection with various goods and services, including whisky, since at

least as early as 1954, long before the September 17, 2012 filing date of the intent-to-use application herein opposed, or any other date upon which Applicant can rely in this proceeding.

4. During its continuous use of Diageo's Marks, Diageo and its authorized wholesalers, distributors, and retail accounts have expended considerable time, effort, and money in advertising and publicizing the sale of alcoholic beverages bearing those marks in the United States.

5. During its continuous use of Diageo's Marks, Diageo has directly and indirectly sold and offered for sale alcoholic beverages bearing those marks throughout the United States.

6. Diageo's Marks are strong and famous and have been so from a date prior to Applicant's application date, or any other date upon which Applicant can rely for Applicant's Mark.

7. In addition to Diageo's strong common law rights in Diageo's Marks, Diageo owns (among other registrations) incontestable U.S. Reg. No. 635,313 for CROWN ROYAL (stylized) for "alcoholic liquors – namely, whiskey" in International Class 33, registered October 2, 1956 based on use and use in commerce since January 11, 1954; incontestable U.S. Reg. No. 2,851,028 for CROWN ROYAL for "alcoholic beverages namely whiskey" in International Class 33, registered June 8, 2004 based on use and use in commerce since 1964; and incontestable U.S. Reg. No. 3,137,914 for a purple bag design for "alcoholic beverages, namely, spirits" in International Class 33, registered September 5, 2006 based on use in commerce since 1964. Copies of the certificates and electronic status records for these registrations, which are valid, subsisting, and in full force and effect, are attached hereto as Exhibit A.

8. By the application herein opposed, Serial No. 85-731118, Applicant seeks to register TEXAS CROWN CLUB WHISKY (design), for "whisky" in International Class 33.

9. Applicant filed its intent-to-use application for Applicant's Mark on September 17, 2012, long after Diageo commenced use of Diageo's Marks and registered those marks in the United States, and long after Diageo's Marks became famous.

10. Applicant's Mark is confusingly similar in appearance, sound, meaning, and commercial impression to Diageo's Marks.

11. The goods for which Applicant seeks registration – whisky – is identical to the product on which Diageo uses Diageo's Marks in the United States.

12. Upon information and belief, the products sold in connection with Diageo's Marks and the products set forth in Applicant's Application Serial No. 85-731118 are intended to be directed to identical classes of purchasers and to be distributed through the same channels of trade in the United States.

13. Diageo will be damaged by the registration sought by Applicant because such registration will support and assist Applicant in the confusing and misleading use of Applicant's Mark, and will give color of exclusive statutory rights to Applicant in violation and derogation of Diageo's prior and superior rights.

14. Diageo also will be damaged by the registrations sought by Applicant because such registration will dilute the distinctive qualities of the famous Diageo's Marks.

15. Registration should be refused pursuant to Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d), on the grounds that Applicant's Mark so closely resembles Diageo's Marks as to be likely, when used on or in connection with the goods identified in the Application, to cause confusion, or to cause mistake, or to deceive, with the consequent injury to Diageo and to the public.

16. Registration should be refused pursuant to Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c), on the grounds that Applicant's Mark will cause dilution of the distinctive qualities of Diageo's Marks.

WHEREFORE, Diageo believes it will be damaged by the registration of Applicant's TEXAS CROWN CLUB WHISKEY (design) marks whiskey as shown in Serial No. 85-731118, and respectfully requests that the opposition be sustained and registration be denied.

Dated: March 10, 2014

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. O'Rourke", written over a horizontal line.

Brendan J. O'Rourke
Jenifer deWolf Paine
Adam Siegartel
Proskauer Rose LLP
11 Times Square
New York, NY 10036

Counsel for Opposer Diageo North America, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of the foregoing
NOTICE OF OPPOSITION to be served, via first class mail, postage prepaid, on this March 10, 2014 to
Applicant's counsel at the address identified on the Patent and Trademark Office's TARR database as
follows:

William D. Raman
Fleckman & McGlynn PLLC
PO Box 685108
Austin TX 78768-5108

March 10, 2014

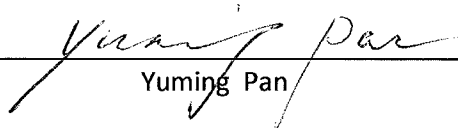

Yuming Pan

EXHIBIT A

United States Patent Office

635,313
Registered Oct. 2, 1956

PRINCIPAL REGISTER Trademark

Ser. No. 448, filed Jan. 10, 1956

Crown Royal

Joseph E. Seagram & Sons Limited (Canadian corporation)
1430 Peel St.
Montreal, Quebec, Canada

For: ALCOHOLIC LIQUORS—NAMELY, WHISKY—in CLASS 49.
First use Jan. 11, 1954; in commerce Jan. 11, 1954.

COMB. AFF. SEC. 8 & 15
APR 19 1962

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Mark: CROWN ROYAL



US Serial Number: 72000448
US Registration Number: 635313
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Oct. 14, 2006

Application Filing Date: Jan. 10, 1956
Registration Date: Oct. 02, 1956

Mark Information

Mark Literal Elements: CROWN ROYAL
Standard Character Claim: No
Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: ALCOHOLIC LIQUORS-NAMELY, WHISKEY

International Class(es): 033
U.S Class(es): 049 - Primary Class

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 11, 1954
Use in Commerce: Jan. 11, 1954

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Diageo North America, Inc.

Owner Address: 801 Main Ave
Nowalk, CONNECTICUT 06851
UNITED STATES

Legal Entity Type: CORPORATION
State or Country Where Organized: CONNECTICUT

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Dana M Gilland
Docket Number: CRWN-0016-US

Correspondent

Correspondent Name/Address: DANA M GILLAND
DIAGEO N AMERICA INC
801 MAIN AVE
NORWALK, CONNECTICUT 06851
UNITED STATES

Fax: 203.229.8925

Correspondent e-mail: karen.dwyer@diageo.com

Correspondent e-mail Yes
Authorized:

Domestic Representative

Domestic Representative Name: JOHANNA M GEOGHAN

Prosecution History

Date	Description	Proceeding Number
May 13, 2013	NOTICE OF SUIT	
Apr. 15, 2013	NOTICE OF SUIT	
Mar. 28, 2013	NOTICE OF SUIT	
Mar. 28, 2013	NOTICE OF SUIT	
Oct. 26, 2007	CASE FILE IN TICRS	
Oct. 14, 2006	REGISTERED AND RENEWED (THIRD RENEWAL - 10 YRS)	70853
Oct. 14, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 11, 2006	ASSIGNED TO PARALEGAL	70853
Aug. 02, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Aug. 02, 2006	TEAS SECTION 8 & 9 RECEIVED	
Mar. 02, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 01, 2005	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Sep. 25, 1996	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	
Aug. 15, 1996	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
Oct. 02, 1976	REGISTERED AND RENEWED (FIRST RENEWAL - 20 YRS)	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Oct. 02, 2006

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Oct. 26, 2007

Proceedings**Summary**

Number of Proceedings: 9

Type of Proceeding: Opposition

Proceeding Number: [91213762](#)

Filing Date: Nov 26, 2013

Status: Pending

Status Date: Nov 26, 2013

Interlocutory Attorney: CHRISTEN M ENGLISH

Defendant

Name: Columbia Insurance Company

Correspondent Address: DAVID CHEN
IP ATTORNEYS GROUP LLC
16 OXFORD ROAD, 2ND FLOOR
MILFORD CT , 06460-3823
UNITED STATES

Correspondent e-mail: dchen@ipattorneysgroup.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CROWN BY BORN	Opposition Pending	85865782	
Plaintiff(s)			

Name: Diageo North America, Inc.

Correspondent Address: EVAN GOURVITZ
DIAGEO NORTH AMERICA INC
801 MAIN AVENUE
NORWALK CT , 06851
UNITED STATES

Correspondent e-mail: trademarks@diageo.com , gina.vendittelli@diageo.com , evan.gourvitz@diageo.com , nicole.damato@diageo.com , stuart.kauffman@diageo.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
CROWN ROYAL	Section 8 and 15 - Accepted and Acknowledged	78469725	3234379
CROWN ROYAL	Section 8 and 15 - Accepted and Acknowledged	78118445	3096261
CROWN ROYAL	Registered	78469717	3703562
CROWN ROYAL	Renewed	72000448	635313
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 26, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 29, 2013	Jan 08, 2014
3	PENDING, INSTITUTED	Nov 29, 2013	
4	ANSWER	Jan 07, 2014	
5	W/DRAW OF APPLICATION	Mar 05, 2014	

Type of Proceeding: Opposition

Proceeding Number: [91213236](#)

Filing Date: Oct 30, 2013

Status: Pending

Status Date: Oct 30, 2013

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: EJMV Investments, LLC

Correspondent Address: WILLIAM D RAMAN
FLECKMAN & MCGLYNN PLLC
515 CONGRESS AVENUE, SUITE 1800
AUSTIN TX , 78791
UNITED STATES

Correspondent e-mail: trademarks@fleckman.com , raman@fleckman.com , jennings@fleckman.com , klbynum@fleckman.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
WASHINGTON CROWN CLUB	Opposition Pending	85841343	
Plaintiff(s)			

Name: Diageo North America, Inc.

Correspondent Address: EVAN GOURVITZ
DIAGEO NORTH AMERICA INC
801 MAIN AVENUE
NORWALK CT , 06851
UNITED STATES

Correspondent e-mail: trademarks@diageo.com , gina.vendittelli@diageo.com , evan.gourvitz@diageo.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
CROWN ROYAL	Renewed	72000448	635313
CROWN ROYAL	Renewed	78271313	2851028
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 30, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 30, 2013	Dec 09, 2013
3	PENDING, INSTITUTED	Oct 30, 2013	

4	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 10, 2013
5	SUSPENDED	Dec 18, 2013
6	ANSWER	Mar 10, 2014

Type of Proceeding: Opposition

Proceeding Number: [91212204](#)

Filing Date: Aug 28, 2013

Status: Terminated

Status Date: Nov 04, 2013

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Lucy's Enterprises, Inc.

Correspondent Address: KENNETH L GREEN
AVERILL & GREEN
8244 PAINTER AVE
WHITTIER CA , 90602-3109
UNITED STATES

Correspondent e-mail: us_trademarks@yahoo.com , kgreen@averillandgreen.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ROYAL	Abandoned - After Inter-Partes Decision	85349118	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: EVAN GOURVITZ
DIAGO NORTH AMERICA INC
801 MAIN AVENUE
NORWALK CT , 06851
UNITED STATES

Correspondent e-mail: trademarks@diageo.com , gina.vendittelli@diageo.com , evan.gourvitz@diageo.com , stuart.kauffman@diageo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CROWN ROYAL	Renewed	72000448	635313
CROWN ROYAL	Renewed	78271313	2851028
CROWN ROYAL	Renewed	75150924	2094877
	Registered	77209845	3404644
	Registered	77460263	3543486

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 28, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 28, 2013	Oct 07, 2013
3	PENDING, INSTITUTED	Aug 28, 2013	
4	W/DRAW OF APPLICATION	Sep 27, 2013	
5	BD DECISION: SUSTAINED	Nov 04, 2013	
6	TERMINATED	Nov 04, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91211546](#)

Filing Date: Jul 12, 2013

Status: Pending

Status Date: Jul 12, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: ANHEUSER-BUSCH, LLC

Correspondent Address: JEREMY M. ROE
ANHEUSER-BUSCH, LLC
1 BUSCH PL
SAINT LOUIS MO , 63118-1852
UNITED STATES

Correspondent e-mail: jeremy.roe@anheuser-busch.com , trademarks@anheuser-busch.com , aanderson@hollandhart.com , jshajek@hollandhart.com , doc.ket@hollandhart.com

Associated marks

Mark	Application Status	Serial	Registration
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		Number	Number
BLACK CROWN		Opposition Pending	85768102
Plaintiff(s)			
Name: Diageo North America, Inc.			
Correspondent Address: Brendan J. O'Rourke Proskauer Rose LLP Eleven Times Square New York NY , 10036 UNITED STATES			
Correspondent e-mail: trademark@proskauer.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
CROWN ROYAL	Renewed	72000448	635313
CROWN ROYAL	Renewed	75150924	2094877
CROWN ROYAL	Renewed	78271313	2851028
CROWN ROYAL	Section 8 and 15 - Accepted and Acknowledged	78469755	3020295
CROWN ROYAL	Section 8 and 15 - Accepted and Acknowledged	78118445	3096261
CROWN ROYAL	Section 8 and 15 - Accepted and Acknowledged	78469725	3234379
CR CROWN ROYAL SPECIAL RESERVE	Renewed	74166801	1724742
CROWN ROYAL	Registered	78469717	3703562
CROWN ROYAL CHAMPIONSHIP RACING	Cancelled - Section 8	78511993	3234495
CROWN ROYAL XR	Section 8 and 15 - Accepted and Acknowledged	78734777	3291893
CROWN ROYAL EXTRA XR RARE	Section 8 and 15 - Accepted and Acknowledged	78918439	3314727
CR CROWN ROYAL SPECIAL RESERVE	Registered	78862668	3332468
CROWN ROYAL CASK NO. 16	Registered	77189749	3506079
CROWN ROYAL RESERVE	Registered	77363689	3596123
CROWN ROYAL RESERVE CROWN ROYAL RESERVE CRR	Registered	77363692	3596124
CROWN ROYAL BLACK	Registered	77817194	4023275
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 12, 2013	Aug 21, 2013
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 12, 2013	
3	PENDING, INSTITUTED	Jul 12, 2013	
4	STIP FOR EXT	Aug 12, 2013	
5	EXTENSION OF TIME GRANTED	Aug 12, 2013	
6	STIP FOR EXT	Oct 14, 2013	
7	EXTENSION OF TIME GRANTED	Oct 16, 2013	
8	STIP FOR EXT	Nov 13, 2013	
9	EXTENSION OF TIME GRANTED	Nov 13, 2013	
10	STIP FOR EXT	Dec 17, 2013	
11	EXTENSION OF TIME GRANTED	Dec 17, 2013	
12	STIP FOR EXT	Feb 12, 2014	
13	EXTENSION OF TIME GRANTED	Feb 12, 2014	
Type of Proceeding: Opposition			
Proceeding Number: 91211268		Filing Date: Jun 25, 2013	
Status: Pending		Status Date: Jun 25, 2013	
Interlocutory Attorney: BENJAMIN U OKEKE			

Defendant				
Name: Mexcor, Inc.				
Correspondent Address: WILLIAM D RAMAN FLECKMAN & MCGLYNN PLLC PO BOX 685108 AUSTIN TX , 78768-5108 UNITED STATES				
Correspondent e-mail: Raman@fleckman.com , trademarks@fleckman.com , jennings@fleckman.com				
Associated marks				
Mark		Application Status	Serial Number	Registration Number
AMERICAN CROWN CLUB		Opposition Pending	85723577	
COLORADO CROWN CLUB		Opposition Pending	85734894	
LAS VEGAS CROWN CLUB		Opposition Pending	85758727	
Plaintiff(s)				
Name: Diageo North America, Inc.				
Correspondent Address: EVAN GOURVITZ DIAGEO NORTH AMERICA INC 801 MAIN AVENUE NORWALK CT , 06851 UNITED STATES				
Correspondent e-mail: trademarks@diageo.com , evan.gourvitz@diageo.com , gina.vendittelli@diageo.com , stuart.kauffman@diageo.com , jeanette.alindogan@diageo.com				
Associated marks				
Mark		Application Status	Serial Number	Registration Number
CROWN ROYAL		Renewed	72000448	635313
CROWN ROYAL		Renewed	78271313	2851028
Prosecution History				
Entry Number	History Text	Date	Due Date	
1	FILED AND FEE	Jun 25, 2013		
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 25, 2013	Aug 04, 2013	
3	PENDING, INSTITUTED	Jun 25, 2013		
4	D MOT TO SUSP PEND DISP CIV ACTION	Jul 19, 2013		
5	D REQ TO W/DRAW AS ATTORNEY	Jul 31, 2013		
6	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 01, 2013	Aug 31, 2013	
7	D REQ TO W/DRAW AS ATTORNEY	Aug 06, 2013		
8	CHANGE OF CORRESP ADDRESS	Aug 07, 2013		
9	D APPEARANCE / POWER OF ATTORNEY	Aug 07, 2013		
10	SUSP PEND DISP OF CIVIL ACTION	Aug 12, 2013		
Type of Proceeding: Opposition				
Proceeding Number: 91211056		Filing Date: Jun 12, 2013		
Status: Pending		Status Date: Jun 12, 2013		
Interlocutory Attorney: BENJAMIN U OKEKE				
Defendant				
Name: Mexcor, Inc.				
Correspondent Address: WILLIAM D RAMAN FLECKMAN & MCGLYNN PLLC PO BOX 685108 AUSTIN TX , 78768-5108 UNITED STATES				
Correspondent e-mail: Raman@fleckman.com , trademarks@fleckman.com , jennings@fleckman.com				
Associated marks				
Mark		Application Status	Serial Number	Registration Number
CROWN CLUB		Opposition Pending	85728849	
Plaintiff(s)				
Name: Diageo North America, Inc.				

Correspondent Address: EVAN GOURVITZ
DIAGEO NORTH AMERICA INC
801 MAIN AVENUE
NORWALK CT , 06851
UNITED STATES

Correspondent e-mail: evan.gourvitz@diageo.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
CROWN ROYAL	Renewed	72000448	635313
CROWN ROYAL	Renewed	78271313	2851028

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 12, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 12, 2013	Jul 22, 2013
3	PENDING, INSTITUTED	Jun 12, 2013	
4	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 26, 2013	
5	SUSPENDED	Jun 26, 2013	
6	D APPEARANCE / POWER OF ATTORNEY	Sep 10, 2013	
7	CHANGE OF CORRESP ADDRESS	Sep 10, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91207891](#)

Filing Date: Nov 07, 2012

Status: Terminated

Status Date: Mar 18, 2013

Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: Ishtar Wheat Products

Correspondent Address: MATTHEW H SWYERS
THE TRADEMARK COMPANY
344 MAPLE AVE W , SUITE 151
VIENNA VA , 22180-5612
UNITED STATES

Correspondent e-mail: admin@thetrademarkcompany.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
CROWN ROYAL RICE	Abandoned - After Inter-Partes Decision	85542039	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: EVAN GOURVITZ
DIAGEO NORTH AMERICA INC
801 MAIN AVENUE
NORWALK CT , 06851
UNITED STATES

Correspondent e-mail: trademarks@diageo.com , gina.vendittelli@diageo.com , evan.gourvitz@diageo.com , stuart.kauffman@diageo.com , evan.gourvitz@diageo.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
CROWN ROYAL	Renewed	72000448	635313
CROWN ROYAL	Renewed	78271313	2851028
CROWN ROYAL	Registered	78469717	3703562

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 07, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 07, 2012	Dec 17, 2012
3	PENDING, INSTITUTED	Nov 07, 2012	
4	NOTICE OF DEFAULT	Jan 22, 2013	

5 BD DECISION: SUSTAINED Mar 18, 2013
6 TERMINATED Mar 18, 2013

Type of Proceeding: Opposition

Proceeding Number: [91198470](#)

Filing Date: Feb 01, 2011

Status: Terminated

Status Date: Mar 30, 2011

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: Drive Food & Drive Beer Franchising S.r.l.

Correspondent Address: MOLLY RICHARD JIM STRUTHERS ANN BURNS
RICHARD LAW GROUP
8411 PRESTON ROAD , SUITE 890
DALLAS TX , 75225
UNITED STATES

Correspondent e-mail: clarissa@richardlawgroup.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BLACK ROYAL	Abandoned - After Inter-Partes Decision	79082175	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: EVAN GOURVITZ
DIAGEO NORTH AMERICA INC
801 MAIN AVENUE
NORWALK CT , 06851
UNITED STATES

Correspondent e-mail: trademarks@diageo.com , gina.vendittelli@diageo.com , evan.gourvitz@diageo.com , stuart.kauffman@diageo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CROWN ROYAL	Renewed	72000448	635313
CROWN ROYAL	Renewed	78271313	2851028
CROWN ROYAL BLACK	Registered	77817194	4023275

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 01, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 03, 2011	Mar 15, 2011
3	PENDING, INSTITUTED	Feb 03, 2011	
4	WITHDRAWAL OF APPLICATION	Mar 24, 2011	
5	BOARD'S DECISION: SUSTAINED	Mar 30, 2011	
6	TERMINATED	Mar 30, 2011	

Type of Proceeding: Opposition

Proceeding Number: [91187250](#)

Filing Date: Oct 29, 2008

Status: Terminated

Status Date: Dec 08, 2009

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Vargas Alvarez Antonio

Correspondent Address: Alejandro R. Malacara
82 Chapel Hill Circle
San Antonio TX , 78240
UNITED STATES

Correspondent e-mail: mygabogados@infosel.net.mx

Associated marks

Mark	Application Status	Serial Number	Registration Number
ORO REAL	Abandoned - After Inter-Partes Decision	77242148	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: Jennifer J. Millones

Diageo North America, Inc.
801 Main Avenue
Norwalk CT , 06851
UNITED STATES

Correspondent e-mail: jennifer.millones@diageo.com , jeanette.alindogan@diageo.com , trademarks@diageo.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
CROWN ROYAL	Renewed	72000448	635313
CROWN ROYAL	Renewed	75150924	2094877
	Section 8 and 15 - Accepted and Acknowledged	78271318	2879432
CR CROWN ROYAL SPECIAL RESERVE	Registered	78862668	3332468
CROWN ROYAL EXTRA XR RARE	Section 8 and 15 - Accepted and Acknowledged	78918439	3314727
	Registered	77209845	3404644
	Registered	77460263	3543486

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 29, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 30, 2008	Dec 09, 2008
3	PENDING, INSTITUTED	Oct 30, 2008	
4	D'S OPPOSITION/RESPONSE TO MOTION	Dec 08, 2008	
5	TRIAL DATES RESET	Dec 16, 2008	
6	CHANGE OF CORRESPONDENCE ADDRESS	Jan 23, 2009	
7	ANSWER	Jan 23, 2009	
8	P REQUEST FOR DISCOVERY CONFERENCE-PHONE	Feb 10, 2009	
9	TRIAL DATES RESET	Feb 24, 2009	
10	STIPULATION OF FACTS	Apr 06, 2009	
11	STIPULATION NOTED AND APPROVED	Apr 08, 2009	
12	STIPULATION FOR AN EXTENSION OF TIME	Aug 12, 2009	
13	EXTENSION OF TIME GRANTED	Aug 12, 2009	
14	CHANGE OF CORRESPONDENCE ADDRESS	Dec 02, 2009	
15	P'S SUBMISSION OF D'S WITHDRAWAL	Dec 02, 2009	
16	BOARD'S DECISION: SUSTAINED	Dec 08, 2009	
17	TERMINATED	Dec 08, 2009	

Int. Cl.: 33

Prior U.S. Cls.: 47 and 49

United States Patent and Trademark Office

Reg. No. 2,851,028

Registered June 8, 2004

**TRADEMARK
PRINCIPAL REGISTER**

CROWN ROYAL

DIAGEO NORTH AMERICA, INC. (CONNECTI-
CUT CORPORATION)
SIX LANDMARK SQUARE
STAMFORD, CT 06901

OWNER OF U.S. REG. NOS. 635,313 AND 2,094,877.

FOR: ALCOHOLIC BEVERAGES NAMELY WHIS-
KEY, IN CLASS 33 (U.S. CLS. 47 AND 49).

SER. NO. 78-271,313, FILED 7-8-2003.

FIRST USE 0-0-1964; IN COMMERCE 0-0-1964.

PAUL F. GAST, EXAMINING ATTORNEY

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Mark: CROWN ROYAL

US Serial Number: 78271313	Application Filing Date: Jul. 08, 2003
US Registration Number: 2851028	Registration Date: Jun. 08, 2004
Register: Principal	
Mark Type: Trademark	
Status: The registration has been renewed.	
Status Date: Jan. 15, 2014	
Publication Date: Mar. 16, 2004	

Mark Information

Mark Literal Elements: CROWN ROYAL

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US Registrations: 0635313, 2094877

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Alcoholic beverages namely whiskey	
International Class(es): 033 - Primary Class	U.S Class(es): 047, 049
Class Status: ACTIVE	
Basis: 1(a)	
First Use: 1964	Use in Commerce: 1964

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Diageo North America, Inc.	
Owner Address: 801 Main Ave Norwalk, CONNECTICUT 06851 UNITED STATES	
Legal Entity Type: CORPORATION	State or Country Where Organized: CONNECTICUT

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Nicole D'Amato
Attorney Primary Email Address: trademarks@diageo.com

Docket Number: CRWN-0001-US
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Nicole D'Amato
Diageo North America, Inc.
801 Main Ave
Norwalk, CONNECTICUT 06851
UNITED STATES

Phone: (203) 229-2100

Fax: (203) 845-5943

Correspondent e-mail: trademarks@diageo.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 15, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jan. 15, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	64591
Jan. 15, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	64591
Jan. 13, 2014	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	64591
Jan. 13, 2014	TEAS SECTION 8 & 9 RECEIVED	
May 13, 2013	NOTICE OF SUIT	
Apr. 15, 2013	NOTICE OF SUIT	
Mar. 28, 2013	NOTICE OF SUIT	
Mar. 28, 2013	NOTICE OF SUIT	
Aug. 30, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	64591
Aug. 19, 2009	ASSIGNED TO PARALEGAL	64591
Aug. 17, 2009	TEAS SECTION 8 & 15 RECEIVED	
Mar. 02, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 01, 2005	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 08, 2004	REGISTERED-PRINCIPAL REGISTER	
Mar. 16, 2004	PUBLISHED FOR OPPOSITION	
Feb. 25, 2004	NOTICE OF PUBLICATION	
Dec. 09, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 09, 2003	ASSIGNED TO EXAMINER	59959
Aug. 05, 2003	TEAS VOLUNTARY AMENDMENT RECEIVED	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 08, 2014

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jan. 15, 2014

Proceedings

Summary

Number of Proceedings: 7

Type of Proceeding: Opposition

Proceeding Number: [91213236](#)

Filing Date: Oct 30, 2013

Status: Pending

Status Date: Oct 30, 2013

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: EJMV Investments, LLC

Correspondent Address: WILLIAM D RAMAN
FLECKMAN & MCGLYNN PLLC
515 CONGRESS AVENUE, SUITE 1800
AUSTIN TX , 78791
UNITED STATES

Correspondent e-mail: trademarks@fleckman.com , raman@fleckman.com , jennings@fleckman.com , klbynum@fleckman.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
WASHINGTON CROWN CLUB	Opposition Pending	85841343	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: EVAN GOURVITZ
DIAGEO NORTH AMERICA INC
801 MAIN AVENUE
NORWALK CT , 06851
UNITED STATES

Correspondent e-mail: trademarks@diageo.com , gina.vendittelli@diageo.com , evan.gourvitz@diageo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CROWN ROYAL	Renewed	72000448	635313
CROWN ROYAL	Renewed	78271313	2851028

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 30, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 30, 2013	Dec 09, 2013
3	PENDING, INSTITUTED	Oct 30, 2013	
4	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 10, 2013	
5	SUSPENDED	Dec 18, 2013	
6	ANSWER	Mar 10, 2014	

Type of Proceeding: Opposition

Proceeding Number: [91212204](#)

Filing Date: Aug 28, 2013

Status: Terminated

Status Date: Nov 04, 2013

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Lucy's Enterprises, Inc.

Correspondent Address: KENNETH L GREEN
AVERILL & GREEN
8244 PAINTER AVE
WHITTIER CA , 90602-3109
UNITED STATES

Correspondent e-mail: us_trademarks@yahoo.com , kgreen@averillandgreen.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ROYAL	Abandoned - After Inter-Partes Decision	85349118	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: EVAN GOURVITZ
DIAGEO NORTH AMERICA INC
801 MAIN AVENUE
NORWALK CT , 06851

UNITED STATES

Correspondent e-mail: trademarks@diageo.com , gina.vendittelli@diageo.com , evan.gourvitz@diageo.com , stuart.kauffman@diageo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CROWN ROYAL	Renewed	72000448	635313
CROWN ROYAL	Renewed	78271313	2851028
CROWN ROYAL	Renewed	75150924	2094877
	Registered	77209845	3404644
	Registered	77460263	3543486

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 28, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 28, 2013	Oct 07, 2013
3	PENDING, INSTITUTED	Aug 28, 2013	
4	W/DRAW OF APPLICATION	Sep 27, 2013	
5	BD DECISION: SUSTAINED	Nov 04, 2013	
6	TERMINATED	Nov 04, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91211546](#)

Filing Date: Jul 12, 2013

Status: Pending

Status Date: Jul 12, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: ANHEUSER-BUSCH, LLC

Correspondent Address: JEREMY M. ROE
ANHEUSER-BUSCH, LLC
1 BUSCH PL
SAINT LOUIS MO , 63118-1852
UNITED STATESCorrespondent e-mail: jeremy.roe@anheuser-busch.com , trademarks@anheuser-busch.com , aanderson@hollandhart.com , ishajek@hollandhart.com , doc ket@hollandhart.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BLACK CROWN	Opposition Pending	85768102	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: Brendan J. O'Rourke
Proskauer Rose LLP
Eleven Times Square
New York NY , 10036
UNITED STATESCorrespondent e-mail: trademark@proskauer.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CROWN ROYAL	Renewed	72000448	635313
CROWN ROYAL	Renewed	75150924	2094877
CROWN ROYAL	Renewed	78271313	2851028
CROWN ROYAL	Section 8 and 15 - Accepted and Acknowledged	78469755	3020295
CROWN ROYAL	Section 8 and 15 - Accepted and Acknowledged	78118445	3096261
CROWN ROYAL	Section 8 and 15 - Accepted and Acknowledged	78469725	3234379
CR CROWN ROYAL SPECIAL RESERVE	Renewed	74166801	1724742
CROWN ROYAL			

CROWN ROYAL	Registered	78469717	3703562
CROWN ROYAL CHAMPIONSHIP RACING	Cancelled - Section 8	78511993	3234495
CROWN ROYAL XR	Section 8 and 15 - Accepted and Acknowledged	78734777	3291893
CROWN ROYAL EXTRA XR RARE	Section 8 and 15 - Accepted and Acknowledged	78918439	3314727
CR CROWN ROYAL SPECIAL RESERVE	Registered	78862668	3332468
CROWN ROYAL CASK NO. 16	Registered	77189749	3506079
CROWN ROYAL RESERVE	Registered	77363689	3596123
CROWN ROYAL RESERVE CROWN ROYAL RESERVE CRR	Registered	77363692	3596124
CROWN ROYAL BLACK	Registered	77817194	4023275

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 12, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 12, 2013	Aug 21, 2013
3	PENDING, INSTITUTED	Jul 12, 2013	
4	STIP FOR EXT	Aug 12, 2013	
5	EXTENSION OF TIME GRANTED	Aug 12, 2013	
6	STIP FOR EXT	Oct 14, 2013	
7	EXTENSION OF TIME GRANTED	Oct 16, 2013	
8	STIP FOR EXT	Nov 13, 2013	
9	EXTENSION OF TIME GRANTED	Nov 13, 2013	
10	STIP FOR EXT	Dec 17, 2013	
11	EXTENSION OF TIME GRANTED	Dec 17, 2013	
12	STIP FOR EXT	Feb 12, 2014	
13	EXTENSION OF TIME GRANTED	Feb 12, 2014	

Type of Proceeding: Opposition

Proceeding Number: [91211268](#)

Filing Date: Jun 25, 2013

Status: Pending

Status Date: Jun 25, 2013

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Mexcor, Inc.

Correspondent Address: WILLIAM D RAMAN
FLECKMAN & MCGLYNN PLLC
PO BOX 685108
AUSTIN TX , 78768-5108
UNITED STATES

Correspondent e-mail: Raman@fleckman.com , trademarks@fleckman.com , jennings@fleckman.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
AMERICAN CROWN CLUB	Opposition Pending	85723577	
COLORADO CROWN CLUB	Opposition Pending	85734894	
LAS VEGAS CROWN CLUB	Opposition Pending	85758727	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: EVAN GOURVITZ
DIAGEO NORTH AMERICA INC
801 MAIN AVENUE
NORWALK CT , 06851
UNITED STATES

Correspondent e-mail: trademarks@diageo.com , evan.gourvitz@diageo.com , gina.vendittelli@diageo.com , stuart.kauffman@diageo.com , jeanette.alindogan@diageo.com

Associated marks

Mark	Application Status	Serial Number	Registration
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			Number
CROWN ROYAL	Renewed	72000448	635313
CROWN ROYAL	Renewed	78271313	2851028

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 25, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 25, 2013	Aug 04, 2013
3	PENDING, INSTITUTED	Jun 25, 2013	
4	D MOT TO SUSP PEND DISP CIV ACTION	Jul 19, 2013	
5	D REQ TO W/DRAW AS ATTORNEY	Jul 31, 2013	
6	RESPONSE DUE 30 DAYS (DUE DATE)	Aug 01, 2013	Aug 31, 2013
7	D REQ TO W/DRAW AS ATTORNEY	Aug 06, 2013	
8	CHANGE OF CORRESP ADDRESS	Aug 07, 2013	
9	D APPEARANCE / POWER OF ATTORNEY	Aug 07, 2013	
10	SUSP PEND DISP OF CIVIL ACTION	Aug 12, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91211056](#)

Filing Date: Jun 12, 2013

Status: Pending

Status Date: Jun 12, 2013

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Mexcor, Inc.

Correspondent Address: WILLIAM D RAMAN
FLECKMAN & MCGLYNN PLLC
PO BOX 685108
AUSTIN TX , 78768-5108
UNITED STATES

Correspondent e-mail: Raman@fleckman.com , trademarks@fleckman.com , jennings@fleckman.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CROWN CLUB	Opposition Pending	85728849	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: EVAN GOURVITZ
DIAGEO NORTH AMERICA INC
801 MAIN AVENUE
NORWALK CT , 06851
UNITED STATES

Correspondent e-mail: evan.gourvitz@diageo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CROWN ROYAL	Renewed	72000448	635313
CROWN ROYAL	Renewed	78271313	2851028

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 12, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 12, 2013	Jul 22, 2013
3	PENDING, INSTITUTED	Jun 12, 2013	
4	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 26, 2013	
5	SUSPENDED	Jun 26, 2013	
6	D APPEARANCE / POWER OF ATTORNEY	Sep 10, 2013	
7	CHANGE OF CORRESP ADDRESS	Sep 10, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91207891](#)

Filing Date: Nov 07, 2012

Status: Terminated

Status Date: Mar 18, 2013

Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: Ishtar Wheat Products

Correspondent Address: MATTHEW H SWYERS
THE TRADEMARK COMPANY
344 MAPLE AVE W , SUITE 151
VIENNA VA , 22180-5612
UNITED STATES

Correspondent e-mail: admin@thetrademarkcompany.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CROWN ROYAL RICE	Abandoned - After Inter-Partes Decision	85542039	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: EVAN GOURVITZ
DIAGEO NORTH AMERICA INC
801 MAIN AVENUE
NORWALK CT , 06851
UNITED STATES

Correspondent e-mail: trademarks@diageo.com , gina.vendittelli@diageo.com , evan.gourvitz@diageo.com , stuart.kauffman@diageo.com , evan.gourvitz@diageo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CROWN ROYAL	Renewed	72000448	635313
CROWN ROYAL	Renewed	78271313	2851028
CROWN ROYAL	Registered	78469717	3703562

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 07, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 07, 2012	Dec 17, 2012
3	PENDING, INSTITUTED	Nov 07, 2012	
4	NOTICE OF DEFAULT	Jan 22, 2013	
5	BD DECISION: SUSTAINED	Mar 18, 2013	
6	TERMINATED	Mar 18, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91198470](#)

Filing Date: Feb 01, 2011

Status: Terminated

Status Date: Mar 30, 2011

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: Drive Food & Drive Beer Franchising S.r.l.

Correspondent Address: MOLLY RICHARD JIM STRUTHERS ANN BURNS
RICHARD LAW GROUP
8411 PRESTON ROAD , SUITE 890
DALLAS TX , 75225
UNITED STATES

Correspondent e-mail: clarissa@richardlawgroup.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BLACK ROYAL	Abandoned - After Inter-Partes Decision	79082175	

Plaintiff(s)

Name: Diageo North America, Inc.

Correspondent Address: EVAN GOURVITZ
DIAGEO NORTH AMERICA INC
801 MAIN AVENUE
NORWALK CT , 06851
UNITED STATES

Correspondent e-mail: trademarks@diageo.com , gina.vendittelli@diageo.com , evan.gourvitz@diageo.com , stuart.kauffman@diageo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CROWN ROYAL	Renewed	72000448	635313
CROWN ROYAL	Renewed	78271313	2851028
CROWN ROYAL BLACK	Registered	77817194	4023275

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 01, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 03, 2011	Mar 15, 2011
3	PENDING, INSTITUTED	Feb 03, 2011	
4	WITHDRAWAL OF APPLICATION	Mar 24, 2011	
5	BOARD'S DECISION: SUSTAINED	Mar 30, 2011	
6	TERMINATED	Mar 30, 2011	

Int. Cl.: 33

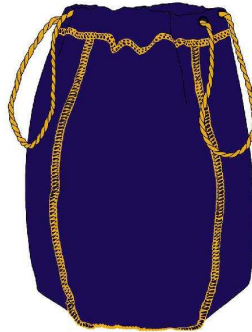
Prior U.S. Cls.: 47 and 49

United States Patent and Trademark Office

Reg. No. 3,137,914

Registered Sep. 5, 2006

**TRADEMARK
PRINCIPAL REGISTER**



DIAGEO NORTH AMERICA, INC. (CONNECTI-
CUT CORPORATION)
801 MAIN AVE
NORWALK, CT 06851

FOR: ALCOHOLIC BEVERAGES, NAMELY, SPIR-
ITS, IN CLASS 33 (U.S. CLS. 47 AND 49).

FIRST USE 0-0-1964; IN COMMERCE 0-0-1964.

THE COLORS PURPLE AND GOLD ARE
CLAIMED AS A FEATURE OF THE MARK.

PURPLE APPEARS IN THE OVERALL COLOR-
ING OF THE BAG DESIGN AND GOLD APPEARS

IN BOTH THE STITCHING AND DRAWSTRING OF
THE BAG.

THE MARK CONSISTS OF A THREE DIMEN-
SIONAL DESIGN OF A PURPLE CLOTH POUCH
BAG WITH GOLD STITCHING AND DRAW-
STRING.

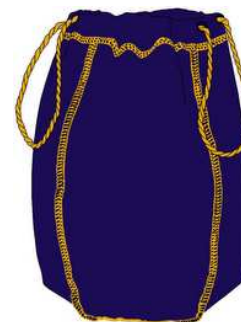
SEC. 2(F).

SER. NO. 78-462,822, FILED 8-5-2004.

JILL C. ALT, EXAMINING ATTORNEY

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Mark:



US Serial Number: 78462822
US Registration Number: 3137914
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Aug. 02, 2012
Publication Date: Jun. 13, 2006

Application Filing Date: Aug. 05, 2004
Registration Date: Sep. 05, 2006

Mark Information

Mark Literal Elements: None
Standard Character Claim: No
Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of a three dimensional design of a purple cloth pouch bag with gold stitching and drawstring.
Color Drawing: Yes
Color(s) Claimed: The colors purple and gold are claimed as a feature of the mark.
Color Location: Purple appears in the overall coloring of the bag design and gold appears in both the stitching and drawstring of the bag.
Acquired Distinctiveness Claim: In whole
Design Search Code(s): 19.07.11 - Bags, burlap; Bags, paper; Bags, shopping; Grocery bags; Shopping bags; Paper bags; Sacks; Sacks filled with grain; Litter bags

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Alcoholic beverages, namely, spirits
International Class(es): 033 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: 1964

U.S Class(es): 047, 049
Use in Commerce: 1964

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Diageo North America, Inc.
Owner Address: 801 Main Ave
Norwalk, CONNECTICUT 06851
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where CONNECTICUT
Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Stuart Kauffman

Attorney Primary Email trademarks@diageo.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Stuart Kauffman
Name/Address: Diageo North America, Inc.
801 Main Avenue
Norwalk, CONNECTICUT 06851
UNITED STATES

Phone: (203) 229-2100

Fax: (203) 845-5925

Correspondent e-mail: trademarks@diageo.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 13, 2013	NOTICE OF SUIT	
Aug. 02, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Aug. 02, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Aug. 01, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Jul. 17, 2012	TEAS SECTION 8 & 15 RECEIVED	
Sep. 05, 2006	REGISTERED-PRINCIPAL REGISTER	
Jun. 13, 2006	PUBLISHED FOR OPPOSITION	
May 24, 2006	NOTICE OF PUBLICATION	
Apr. 20, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	76537
Apr. 20, 2006	ATTORNEY REVIEW COMPLETED	68113
Apr. 20, 2006	AMENDMENT FROM APPLICANT ENTERED	76537
Apr. 04, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	76537
Apr. 14, 2006	ASSIGNED TO LIE	76537
Apr. 04, 2006	PAPER RECEIVED	
Apr. 06, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 06, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	78413
Apr. 03, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	78413
Apr. 03, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 03, 2005	NON-FINAL ACTION E-MAILED	6325
Oct. 03, 2005	NON-FINAL ACTION WRITTEN	68113
Sep. 20, 2005	TEAS/EMAIL CORRESPONDENCE ENTERED	76539
Sep. 09, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	76539
Sep. 09, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 08, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Apr. 08, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 10, 2005	NON-FINAL ACTION E-MAILED	6325
Mar. 10, 2005	NON-FINAL ACTION WRITTEN	68113
Mar. 09, 2005	ASSIGNED TO EXAMINER	68113
Mar. 02, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	

Mar. 01, 2005 TEAS CHANGE OF OWNER ADDRESS RECEIVED
Aug. 13, 2004 NEW APPLICATION ENTERED IN TRAM

Maintenance Filings or Post Registration Information

Affidavit of Continued Section 8 - Accepted
Use:

Affidavit of Section 15 - Accepted
Incontestability:

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 114

Date in Location: Aug. 02, 2012